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March 17, 1997

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MAR 17 1997

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re:

Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations Salome, Arizona MM Docket No. 97-27, RM-8901

Dear Mr. Caton:

Transmitted herewith on behalf of Browns Well Broadcasting are an original and four (4) copies of its "Comments of Browns Well Broadcasting" as directed to the Chief, Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,


Henry E. Crawford
Counsel for
Browns Well Broadcasting

cc: John A. Karousos
Ms. Nancy Joyner

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MAR 17 1997

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of)	MM Docket No. 97-27
)	
Amendment of Section 73.202(b))	RM-8901
Table of Allotments)	
FM Broadcast Stations)	
(Salome, Arizona))	

To: Chief, Allocations Branch

COMMENTS OF BROWNS WELL BROADCASTING

Browns Well Broadcasting ("Browns Well"), by counsel, in accordance with 47 CFR §§ 1.415 and 1.420, hereby submits its Comments in the above-captioned proceeding. In support thereof, Browns Well states as follows:

1. On January 24, 1997, the Commission released a Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding in which it proposed the allotment of Channel 241A to Salome, Arizona as its first local aural transmission service. Browns Well supports the allotment proposed in the NPRM and incorporates its Petition for Rulemaking by reference. However, in the NPRM the Commission asked Browns Well to "...provide additional information regarding the attributes of Salome, Arizona...."¹ Consequently, the issue presented here is whether Salome is a "community" for purposes of the FM Table of Allotments.

¹ NPRM, p. 2, ¶13.

I. ARGUMENT

A. Salome Is A Community For Allocation Purposes

2. As noted by the Commission in the NPRM, Salome is listed by the U.S. Census as having a 1990 population of 1,279.² Generally, if a community is incorporated or is listed in the U.S. Census, that is sufficient to demonstrate its status as a community. Bear Creek, Pennsylvania, DA 96-845, MM Docket No. 96-151; RM-8808, 1996 FCC LEXIS 3792 (MMB July 19, 1996).³ Consequently, as noted in the NPRM,⁴ Browns Well need only show that the residents of Salome are generally regarded as distinct population grouping. This can be demonstrated by showing the existence of schools and businesses associated with the community. Kenansville, Florida, 5 FCC Rcd 2663 (MMB 1990).

3. Salome has its own elementary school district (District 30).⁵ Salome is also the site of the regional high school: Bicentennial Union High. Additionally, Salome has its own post office,⁶ library⁷ and a small commercial district that features cafes and other retail establishments. Salome has its own zip code ("85348").

² See <http://www.census.gov/cgi-bin/gazetteer?city=&state=&zip=85348>. Exhibit 1. Browns Well erred in its original statement of the population.

³ See also, East Hemet, Indio, Rancho California, Sun City, and Temecula, California, 4 FCC Rcd 7895, 7896, ¶10 (MMB 1989).

⁴ NPRM, Id.

⁵ See <http://www.ade.state.az.us/troops/schools/paz.html>. Exhibit 2.

⁶ Rand McNally Commercial Atlas & Marketing Guide, 128th Ed. 1997, p. 259.

⁷ See <http://www.dlapr.lib.az.us/newsltr/nov29.html>. Exhibit 3.

4. The Southwestern Telephone Company has a presence in, Salome, Arizona.⁸ Salome is also the address of PlantView Control Systems⁹ and the location of the McMullen Valley Chamber of Commerce.¹⁰

5. From the above, it is clear that Salome possesses the social, political and economic elements needed to demonstrate the existence of a community. Therefore, Browns Well respectfully submits that Salome is entitled to the status of community for purposes of the table of allotments.

B. Browns Well's Intention To Apply For The Channel And Construct The Station

6. If the Commission assigns Channel 241A to Salome, Arizona, Browns Well will apply for a construction permit and will construct a new facility upon award of that permit.

II. CONCLUSION

7. Browns Well has shown that Salome, Arizona is a community, listed by the U.S. Census, with a significant population of 1,279. Moreover, Salome has its own schools, businesses and other cultural entities. Browns Well has also reiterated its pledge to apply for the channel in the event that it is allotted. Therefore, Browns Well respectfully requests that the Commission allocate Channel 241A to Salome as its first local aural transmission service.

WHEREFORE, in accordance with the above, Browns Well Broadcasting respectfully requests that Channel 241A be assigned to Salome, Arizona as its first local aural transmission service.

⁸ See <http://www.usta.org/fullmem.html>.

⁹ See <http://home.earthlink.net/~plantview/>. Exhibit 4.

¹⁰ See <http://www.state.az.us/ep/commasst/local.shtml#S>.


March 17, 1997

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Respectfully Submitted,

Browns Well Broadcasting

By: 
Henry E. Crawford
Its Attorney

**Browns Well Broadcasting
Comments
March 17, 1997**

EXHIBIT 1



U.S. Gazetteer

Select one of the following matches to your query to look at that place in the Tiger Map Browser or retrieve 1990 Census tables.

You can search this index. Type the keyword(s) you want to search for:

-
- **Zip Code: 85348** (Salome, AZ)
Population (1990): 1279
Location: 33.748141 N, 113.571459 W
Browse Tiger Map of area.
Lookup 1990 Census zipcode data from STF3B.

*Note: This dataset is derived from the Census GICS and does not contain unincorporated place names.

For other geographic entities, try searching the USGS Geographic Names Information System.
The US Gazetteer Place and Zipcode files used in this service is available for downloading.

Please email comments and suggestions to: WebMaster@Census.GOV.

**Browns Well Broadcasting
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EXHIBIT 2

Eligible Troops to Teachers Districts

La Paz County

[Eligible Schools Page](#) | [Troops Main Page](#) | [ADE Main Page](#)

Bicentennial Union High School District #76

PO Box 519
Salome, AZ 85348-0519
(520) 859-3453

Bouse School District #26

PO Box S
Bouse, AZ 85325-0395
(520) 851-2215

Parker Unified School District #27

PO Box 1089
Parker, AZ 85344-1089
(520) 669-8259

Quartzite School District #4

PO Box 130
Ehrenberg, AZ 85334
(520) 923-9617

Salome School District #30

PO Box 339
Salome, AZ 85348-0339
(520) 859-3339

Wenden School District #19

PO Box 8
Wenden, AZ 85357-0008
(520) 859-3806

**Browns Well Broadcasting
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EXHIBIT 3

Arizona Department of Library, Archives and Public Records

ARIZONA LIBRARIES NewsWeek

November 29, 1996

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PARKER SPONSORS SMITHSONIAN EXHIBIT

Parker Public Library has been chosen by the Arizona Humanities Council to host the local showing of the Smithsonian Institution traveling exhibition, "Produce for Victory: Posters on the American Home Front, 1941-1945."

The exhibition, which focuses on posters circulated in the United States during World War II to promote patriotism and to increase industrial output, will be on view beginning December 7, 1996 at 2:00 p.m. and continuing through January 24, 1997. The exhibition will then move to the Indian Hills Public Library, a small branch library located in Salome, Arizona, and will reopen January 27, 1997 at 6:00 p.m. through January 31, 1997. Parker is one of four sites that was chosen in Arizona for this exhibition tour. The other sites included are Payson, Bisbee, and Jerome.

"Produce for Victory" is a smaller light-weight version of a larger traveling exhibition of the same title circulated by the Smithsonian's National Museum of Arizona History and Smithsonian Institution Traveling Exhibition Service (SITES). The smaller exhibition -- which was designed to serve libraries, historical societies and museums in rural areas -- features 25 reproductions of some of the 39-posters displayed in the original exhibition. The tour is the result of a partnership between SITES and the state humanities councils in Arizona, California, Indiana, and Nebraska.

The exhibition, which is intended to foster community involvement, will be augmented by locally-lent materials such as ration cards, victory garden cookbooks, plane spotter guides and children's toys. Other complimentary programs are being planned pending notification of additional grants from the Arizona Humanities Council.

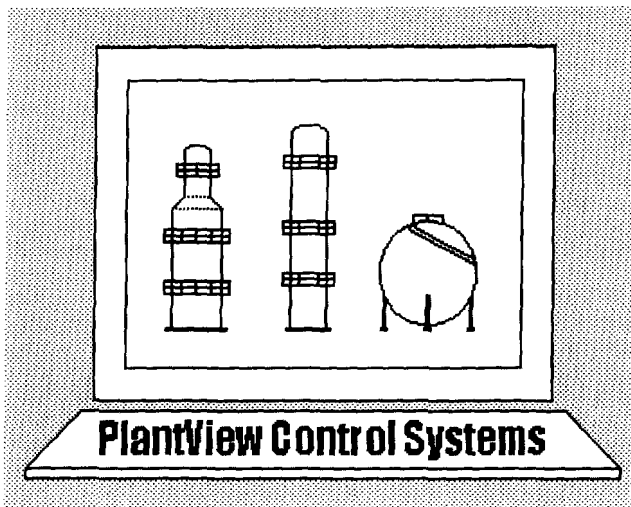
--Jana Ponce, La Paz County Library Services

FLAGSTAFF RECEIVES GRANT!

Browns Well Broadcasting
Comments
March 17, 1997

EXHIBIT 4

PlantView Control Systems



General

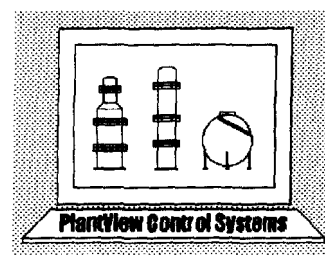
PlantView Control Systems employs a group of engineers and technicians who specialize in computerized process automation and control for the chemical processing industry. The services offered by our organization include:

- Control strategy development
- PFD and P&ID development
- Specification and installation of computer hardware and interface equipment
- Implementation of process control software and advanced control strategies

PlantView personnel are familiar with all currently available control systems including Honeywell, Foxboro, Bailey, Modicon, Allen-Bradley, Moore, Johnson Yokogawa, and others.

Check out the following links to see what we are doing.....

- [Current Projects](#)
- [PFD and PID Development](#)
- [Key Personnel](#)
- [Low Cost Alternatives](#)



Plantview Control Systems
P.O. Box 33, Salome, Arizona
Telephone 520-859-3632
Fax 520-859-4040

You are visitor number: 133

plantview@earthlink.net

Send comments on this web page to stovald@earthlink.net

CERTIFICATE OF SERVICE

I, Henry E. Crawford, Esq., do hereby certify that copies of the foregoing
Comments of Browns Well Broadcasting have been served by United States
mail, postage prepaid this 17th day of March, 1997 upon the following:

*John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
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Washington, D.C. 20554

*Ms. Nancy Joyner
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*Hand Delivered



Henry E. Crawford, Esq.